

December 22, 2015

At a regular meeting of the Board of County Commissioners, Washington County Colorado, held at the Courthouse in Akron, Colorado on Tuesday the 22nd day of December 2015, there were present:

Terry Hart, Chairman	present
David Foy, commissioner	present
Lea Ann Laybourn, commissioner	present
Garland Wahl, clerk of the board	present
Peter 'Larry' Vana, county attorney	present
Chris Packer, county administrator	present

Commissioners met with Road Supervisors Districts #1 & #2 Jason Lockard and District #3 Steve Williams.

Commissioners discussed the Healthcare Fund with the Nursing Home Administrator, Ambulance Director and Washington County Clinic Administrator, Chris Packer.

Invocation was given by Alan Foutz, Commissioned Ruling Elder, Kimball, NE Presbyterian Church.

The pledge of allegiance was recited by those present.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Agenda with additions**. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Schedule of Bills for the County** from the General, Road and Bridge, Health Care, TV Translator, Landfill, and Justice Center, payables for December 22, 2015 with a value of \$42,741.15. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Schedule of Bills for the Nursing Home** for December 22, 2015 with a value of \$9065.27. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Schedule of Bills for Pioneer Haven** for December 22, 2015 with a value of \$960.79. On roll call vote, all votes being yes, the motion passed.

Brenda Rhea, **Nursing Home Administrator**, reported there were 23 residents today.

Present at the 2016 **Continued Public Budget Hearing** were: Commissioners – Terry Hart, David Foy, Lea Ann Laybourn; Clerk of the Board – Garland Wahl; County Attorney – Larry Vana; County Administrator – Chris Packer; Facility Operations Manager, Jim McCracken; CSU Extension Office - Dennis Kaan; Assessor – Larry Griese; Nursing Home Administrator – Brenda Rhea; Treasurer - Debi Cooper; and Ambulance Director – Tony Wells.

County Attorney, Larry Vana, stated the Notice of Budget Hearing is being continued from December 15, 2015. Adoption of Resolution 126-2015 continued the Budget Hearing.

County Administrator – Chris Packer reviewed the budget. Assessed valuation for 2106 will be \$138,011,355.

*reprint*

**Resolution 127-2015** Public Hearing was held as continued by the adoption of Resolution 126-2015 on December 15, 2015 on the Washington County **2016 proposed Budget** including the Public Trustee, Washington County Nursing Home and Pioneer Haven. Evidence and testimony were received for consideration by the Board. Public comments were received from persons in attendance but no written comments were received to be read into the record. Hart recommendation to **close public hearing and take under advisement** for further consideration and final action.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 22<sup>nd</sup> day of December 2015, by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Foy and on roll call vote, all votes being yes, the resolution was adopted.

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It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to ratify the signatures of the Commissioners on a letter to The Farmers State Bank to **renew the Credit Card** for the **Golden Plains Extension Office**. On roll call vote, all votes being yes, the motion passed.

**Chris Packer, County Administrator Report:**

- Packer asked if there was anything from the meeting with Road and Bridge supervisors that needs to be done.
  - Supervisors would like to get the scraper fixed. Commissioner Foy suggested that \$37,000 be used out of operating fund to fix scraper.
  - Road and Bridge should have no 8 hour days.
- Consider closing landfill on Thursdays. Letters will be sent to stakeholders notifying them of the closing. This will be noted and approved in the reorganization document. This would start February 1, 2015.

## **Resolution 128-2015 RESOLUTION TO ADOPT THE BUDGET**

**A Resolution summarizing the adoption of the budget for the year 2016 and the allocation of expenditures and revenues for each fund, for Washington County, Colorado for the calendar year commencing on the first day of January, 2016 and ending the last day of December, 2016.**

WHEREAS, pursuant to C.R.S. 29-1-103, the Board of County Commissioners of Washington County, Colorado, is required to adopt an annual budget which shall present a complete financial plan by fund and by spending agency within each fund for the forthcoming budget year; and

WHEREAS, pursuant to C.R.S. 29-1-105, a proposed budget has been submitted to the Board for the 2016 budget year by October 15, 2015; and

WHEREAS, as required by C.R.S. 29-1-106, the Board has caused to be published a notice stating that such proposed budget is open for inspection by the public; and

WHEREAS, said notice set a public hearing date of December 15th, 2015 at 10:30 a.m. at the Washington County Courthouse, 150 Ash, Akron, Colorado, and stated that at that time the Board would consider the proposed budget; and

WHEREAS, pursuant to the aforementioned published notice, the public hearing was called to order and jurisdiction was established to proceed; and

WHEREAS, by adoption of Resolution 126-2015 the public hearing was tabled until today's date at 10:00 a.m.; and

WHEREAS, the public hearing as reconvened was held on this date and time and interested taxpayers were given opportunity to file or register any objection to said proposed budget as required by law; and

WHEREAS, by adoption of Resolution 127-2015, the Chairman declared the public hearing closed and the budget taken under advisement for further action and consideration; and

WHEREAS, based upon the proposed budget and evidence and testimony received by the Board at the public hearing, the Board has determined to adopt the following budget for fiscal year 2016 pursuant to C.R.S. 29-1-108; and

NOW THEREFORE, be it resolved by the Board of County Commissioners of Washington County, Colorado, as follows:

Section 1. That estimated expenditures for each fund is as follows:

General Fund - \$ 4,337,369.52  
Road and Bridge Fund - \$ 3,586,449.68  
Telecommunication Escrow Fund - \$ 2,630.00  
Health & Human Services Fund- \$875,269.00  
Health Care Fund - \$1,113,657.08  
Nursing Home Operating Fund - \$2,460,155.22  
Pioneer Haven Operating Fund - \$68,540.60  
TV Translator Fund - \$41,975.00  
Conservation Trust Fund - \$ 75,000.00  
Contingent Fund - \$ 35,000.00  
Hospital Memorial Fund- \$2,828.00  
Debt Service Fund - \$ 0.00

Solid waste Disposal Fund - \$222,787.59  
Justice Center Fund - \$3,326,696.96  
Capital Projects Fund - \$254,328.00  
Solid Waste Closure Fund - \$0.00  
Nursing Home Construction Fund - \$0.00  
Medical Reserve Corp Fund - \$5,000.00

Section 2. That estimated revenues for each fund are as follows:

General Fund

Property Taxes - \$ 3,432,204.39  
Other Revenue - \$ 1,273,408.00  
Beginning Fund Balance - \$3,303,288.58

Road and Bridge Fund

Property Taxes - \$ 175,550.44  
Other Revenue - \$ 3,645,674.75  
Beginning Fund Balance - \$ 6,518,574.15

Telecommunications Escrow Fund

Property Taxes - \$ 0.00  
Other Revenue - \$ 0.00  
Beginning Fund Balance - \$ 27,230.00

Health and Human Services

Property Taxes - \$ 255,183.00  
Other Revenue - \$ 630,674.00  
Beginning Fund Balance - \$ 449,934.00

Health Care Fund

Property Taxes - \$ 0.00  
Other Revenue - \$ 972,655.00  
Beginning Fund Balance - \$ 903,383.61

Nursing Home Operating Fund

Property Taxes - \$ 0.00  
Other Revenue - \$ 2,339,164.61

Pioneer Haven Operating Fund

Property Taxes - \$ 0.00  
Other Revenue - \$ 111,648.00

TV Translator Fund

Property Taxes - \$ 35,054.88

Other Revenue - \$ 2,001.75

Beginning Fund Balance - \$ 88,825.16

Conservation Trust Fund

Property Taxes - \$ 0.00

Other Revenue - \$ 24,184.00

Beginning Fund Balance - \$ 198,325.65

Contingent Fund

Property Taxes - \$ 0.00

Other Revenue - \$ 0.00

Beginning Fund Balance - \$ 254,554.47

Hospital Memorial Fund

Property Taxes - \$ 0.00

Other Revenue - \$ 0.00

Beginning Fund Balance - \$ 2,828.00

Debt Service Fund-(included in Justice Center Fund)

Property Taxes - \$ 0.00

Other Revenue - \$ 0.00

Beginning Fund Balance - \$ 330,917.00

Solid Waste Disposal

Property Taxes - \$ 140,495.56

Other Revenue - \$ 61,807.00

Beginning Fund Balance - \$ 863,496.96

Justice Center Fund

Property Taxes - \$ 0.00

Other Revenue - \$ 3,280,925.27

Beginning Fund Balance - \$ 3,237,223.22

Capital Projects Fund

Property Taxes - \$ 210,881.35

Other Revenue - \$ 60.00

Beginning Fund Balance - \$ 790,718.57

Solid Waste Closure Fund (included in Solid Waste Fund)

Property Taxes - \$ 0.00

Other Revenue - \$ 200.00  
Beginning Fund Balance - \$444,817.15

Nursing Home Construction Fund  
Property Taxes - \$0.00  
Other Revenue - \$0.00  
Beginning Fund Balance - \$0.00

Medical Reserve Corp Fund  
Property Taxes - \$0.00  
Other Revenue - \$ 5,000.00  
Beginning Fund Balance - \$ 18,140.25

Section 3. That the budget as submitted, amended and herein above summarized by fund, be, and the same is hereby approved and adopted as the budget of Washington County for the 2016 fiscal year.

Section 4. That the budget as hereby approved and adopted shall be signed by the members of the Board of County Commissioners and made a part of the public record of Washington County, Colorado.

Certified this 22nd day of December 2015, at Akron, Colorado.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 22nd day of December 2015, by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Foy and on roll call vote, all votes being yes, the resolution was adopted.

It was moved by Commissioner and duly seconded by Commissioner to allow the chairman to sign the Certification of Levies and Revenues by Washington County for 2016 as presented by Assessor Larry Griesse that will be sent to the State. On roll call vote, all votes being yes, the motion passed.

Griesse would like to have a better calendar for certification of levies and revenues so it isn't down to the wire due date (12-22-2015) for next year. Commissioner Laybourn said they would come up with one.

#### **Resolution 129-2015 RESOLUTION TO CERTIFY THE MILL LEVY**

WHEREAS, by adoption of Resolution No 127-2015 on December 22, 2015, the Board of County Commissioners of Washington County closed the public hearing on the proposed annual County budget for fiscal year 2016; and

WHEREAS, by adoption of Resolution 128-2015 the Board adopted the annual budget for the County for fiscal year 2016; and

WHEREAS, therefore pursuant to C.R.S. 29-1-108 and C.R.S. 39-1-111, the Board must certify its mill levies for the ensuing Fiscal Year; and

WHEREAS, to be consistent with the levying of taxes for all cities and towns, school districts, and special districts within Washington County by December 22, 2015, the Board is desirous of certifying its mill levies at this time and in the following amounts.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Washington County, that there shall be and there is hereby levied against all taxable property, real, personal and mixed, tangible and intangible, not exempt by the law within Washington County, the following tax to wit:

Total assessed valuation:		\$138,011,355.00
General Fund:	24.500 mills	\$ 3,381,278.20
Road and Bridge Fund:	1.250 mills	\$ 172,514.19
Health & Human Services:	1.750 mills	\$ 241,519.87
Contingency Fund:	0.000 mills	\$ 0.00
TV Translator Fund:	0.250 mills	\$ 34,502.84
Solid Waste Disposal:	1.000 mills	\$ 138,011.36
Capital Projects Fund:	1.501 mills	\$ 207,155.04
Health Care Operation:	0.00 mills	\$ 0.00
Debt Service Fund:	0.000 mills	\$ 0.00
Abatement Refund	.539 mills	\$ 74,388.12
Totals	30.790 mills	\$ 4,249,370.00 Revenue

NOTE: the Abatement Refund Mill Levy is to adjust reductions in prior years and within the overall County Budget is incorporated within the various aforementioned Funds.

BE IT FURTHER RESOLVED, that the aforementioned levies shall be certified to the Washington County Assessor along with the levies of the cities and towns, school districts and special districts for further action as required by C.R.S. 39-1-111(2).

Certified this 22nd day of December 2015 at Akron, Colorado.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 22nd day of December, 2015, by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Foy and on roll call vote, all votes being yes, the resolution was adopted.

**Resolution 130-2015 Mill Levies Special Districts**

WHEREAS, pursuant to C.R.S. 39-5-128, special districts within Washington County must certify to the Board of County Commissioners the levy of said special districts for the ensuing fiscal year (2016); and

WHEREAS, the Board of County Commissioners has received said certifications from the hereinafter described special districts; and

WHEREAS, pursuant to C.R.S. 39-1-111, the Board of County Commissioners must levy taxes for special districts as provided by law no later than December 15, 2015, and;

WHEREAS, the Board of County Commissioners is desirous of levying said taxes at this time.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Washington County that there shall be and there is hereby levied against all taxable property, real, personal and mixed, tangible and intangible, not exempt by law within the corporate limits of each of the following special districts, the following taxes, to wit:

COPE RURAL FIRE DISTRICT	3.410	\$32,240.00
AKRON RURAL FIRE DISTRICT	2.311	\$69,154.00
OTIS RURAL FIRE DISTRICT	2.125	\$43,138.00
YUMA RURAL FIRE DISTRICT	2.368	\$16,961.00
BRUSH RURAL FIRE DISTRICT	3.289	\$1,726.00
HILLROSE RURAL FIRE DISTRICT	7.719	\$16,782.00
SW WASHINGTON COUNTY RURAL FIRE DIST.	2.001	\$91,911.00
NORTHERN COLO. WATER CONS. DIST.	1.000	\$ 2,574.00
LOWER SO. PLATTE WATER CONS. DIST.	0.504	\$ 1,313.00
W-Y GROUNDWATER MGMT. DISTRICT	0.283	\$ 6,512.00
ARIKAREE GROUNDWATER MGMT. DIST.	0.184	\$ 2,306.00
MORGAN COUNTY QUALITY WATER	0.824	\$ 393.00
OTIS SANITATION DISTRICT	2.533	\$ 3,575.00
WASHINGTON COUNTY PEST CONTROL	1.750	\$66,463.00
YUMA CONSERVATION DISTRICT	0.500	\$ 2.00

**SPECIAL ASSESSMENTS**

W-Y Water Wells:	\$0.05 per acre/ft	\$ 2,210.83
Hillrose IRG District	\$4.00 per acre	\$ 17,837.84
Repub. River District	\$14.50 irg acre	\$ 51,755.35
Akron Misc. Fees		\$ 13,166.94

BE IT FURTHER RESOLVED that the Board of County Commissioners of Washington County in certifying the mill levies of the aforementioned special districts is performing a ministerial and non-discretionary act to comply with the requirements of Sections 39-1-111 and 39-5-128, C.R.S.; that the Board of County Commissioners has no authority to modify the mill levies so certified to it; that the Board of County Commissioners has presumed that the aforementioned special districts have complied with the Colorado constitutional and statutory requirements concerning said levies; and therefore, that the



Board of County Commissioners assumes no liability or responsibility associated with any levy of any of the above-noted special districts except for the ministerial, non-discretionary act of certification.

Certified this 22nd day of December 2015, at Akron, Colorado.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 22nd day of December, 2015, by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Foy and on roll call vote, all votes being yes, the resolution was adopted.

**Resolution 131-2015 Mill Levies Towns**

WHEREAS, pursuant to C.R.S. 39-5-128, cities and towns within Washington County must certify to the Board of County Commissioners the levy of said city or town for the ensuing fiscal year (2016); and

WHEREAS, the Board of County Commissioners has received said certifications from the hereinafter described cities and towns; and

WHEREAS, pursuant to C.R.S. 39-1-111, the Board of County Commissioners must levy taxes for cities and towns as provided by law no later than December 15, 2015; and

WHEREAS, the Board of County Commissioners is desirous of levying said taxes at this time.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Washington County that there shall be and there is hereby levied against all taxable property, real, personal and mixed, tangible and intangible, not exempt by law within the corporate limits of each of the following cities and towns, the following taxes, to wit:

Akron:	60.537 mills	\$488,750.00 revenue
Otis:	29.500 mills	\$ 41,634.00 revenue

BE IT FURTHER RESOLVED that the Board of County Commissioners of Washington County in certifying the mill levies of the aforementioned cities and towns is performing a ministerial and non-discretionary act to comply with the requirements of Sections 39-1-111 and 39-5-128, C.R.S.; that the Board of County Commissioners has no authority to modify the mill levies so certified to it; that the Board of County Commissioners has presumed that the aforementioned cities and towns have complied with the Colorado constitutional and statutory requirements concerning said levies; and therefore, that the Board of County Commissioners assumes no liability or responsibility associated with any levy of any of the above-noted cities and towns except for the ministerial, non-discretionary act of certification.

Certified this 22nd day of December 2015, at Akron, Colorado.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 22nd day of December, 2015, by Commissioner Foy who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted.

**Resolution 132-2015 Mill Levies School Districts**

WHEREAS, pursuant to C.R.S. 39-5-128, school districts within Washington County must certify to the Board of County Commissioners the levy of said school districts for the ensuing fiscal year (2016); and

WHEREAS, the Board of County Commissioners has received said certifications from the hereinafter described school districts; and

WHEREAS, pursuant to C.R.S. 39-1-111, the Board of County Commissioners must levy taxes for school districts as provided by law no later than December 15th, 2015; and

WHEREAS, the Board of County Commissioners is desirous of levying said taxes at this time.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Washington County that there shall be and there is hereby levied against all taxable property, real, personal and mixed, tangible and intangible, not exempt by law within the corporate limits of each of the following school districts, the following taxes, to wit:

AKRON SCHOOL DISTRICT R-1	36.925	\$1,597,809
ARICKAREE SCHOOL DISTRICT R-2	21.399	\$ 770,635
OTIS SCHOOL DISTRICT R-3	38.508	\$ 684,343
LONE STAR SCHOOL DISTRICT 101	27.000	\$ 207,270
WOODLIN SCHOOL DISTRICT R-104	30.482	\$ 857,720
BUFFALO SCHOOL DISTRICT RE-4J	34.742	\$ 118,931
BRUSH PUBLIC SCHOOLS RE-2J	36.737	\$ 63,077

BE IT FURTHER RESOLVED that the Board of County Commissioners of Washington County in certifying the mill levies of the aforementioned school districts is performing a ministerial and non-discretionary act to comply with the requirements of Sections 39-1-111 and 39-5-128, C.R.S.; that the Board of County Commissioners has no authority to modify the mill levies so certified to it; that the Board of County Commissioners has presumed that the aforementioned school districts have complied with the Colorado constitutional and statutory requirements concerning said levies; and therefore, that the Board of County Commissioners assumes no liability or responsibility associated with any levy of any of the above-noted school districts except for the ministerial, non-discretionary act of certification.

Certified this 22nd day of December 2015, at Akron, Colorado.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 22nd day of December, 2015, by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Foy and on roll call vote, all votes being yes, the resolution was adopted.

Larry Vana, **County Attorney discussion:**

Vana suggested letters be written to Jerry Starlin and Maryln Elrick regarding payments made to them by the county for gravel. The letter would state the county policy and reflect what the payment will be and when the payment will be.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **November 17, 2015 Minutes**. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **November 24, 2015 Minutes**. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Hart and duly seconded by Commissioner Laybourn to approve the **November 30, 2015 Minutes**. On roll call vote, all votes being yes, the motion passed.

Alan Basler presented a contract for fair entertainment at the 2016 Eastern Colorado Roundup for the county attorney to review.

**Resolution 133-2015** It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to authorize the Chairman of the Board to execute the **Agreement**, as submitted by the Washington County Fair Board, by and between **Buddy Lee Attractions, Inc.** representing Halfway to Hazard and Washington County to perform at the 2016 **Eastern Colorado Roundup** on an amount not to exceed \$6500.00 pursuant to the terms as contained therein, with the additional addendum and excepting of deletion of certain insurance requirements as discussed by the board on this date. On roll call vote, all votes being yes, the resolution was adopted.

Steve Diamond, Joel Diamond, Jason Lockard and Steve Williams discussed crushing rock and concrete.

Lockard comments:

- Morgan County isn't going to rent a grinder that we were going to piggy back on to grind what cement we have.
- We would have to hire someone to grind for us – we don't have time to do ourselves.
- We would want ¾" aggregate.
- Gene Hottinger hired someone to grind his cement the last time he had it done.
- Maintenance on crushers is big.
- Estimate \$11 a ton to crush cement.
- We have close to 6000 tons of cement in Otis and 3000 tons at the landfill.
- I would recommend getting into the crushing business on a large scale to start with.

Williams comments:

- We would want ¾" aggregate
- We don't have time to grind ourselves
- You'd want to put a surveillance camera on the crusher.

Diamond comments:

- Joel is looking to get into crushing business and would like to work with all three road districts.
- Would like some guarantee or commitment from the county for five years. Williams replied they couldn't make a 5 year commitment. The county attorney replied that there could be a multi-year contract offered subject to annual appropriations. There could be an Independent Contract offered that would renew annually for 5 years subject to annual appropriations. There would need to be language that either side could terminate with a 30 day written notice.

Commissioner comments

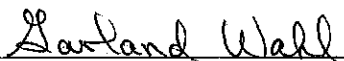
- Hart would want to see a powerful magnet that would remove all the metal so the metal doesn't show up on the roads.
- Hart would like to keep business local when possible.
- Hart asked Joel to write a proposal letter stating the basics of what he wants to do and present it to the commissioners.

Val Foutz, **Zoning Official presentation:**

Road Cut/Right of Way Permit Telecommunications Companies (15-02) for CenturyLink QC to install fiber optics. Foutz said they have received the fees. This is not a big project - less than a mile. Do you want them to bury the fiber optic on the shoulder or in center of road? Commissioners said we have a policy and everyone needs to follow it. Commissioner Foy said he would talk to Jason Lockard, Road Supervisor and tabled this topic until December 29, 2015.

Foutz reminded the commissioner she has the check from CTSI to repair the scraper.

There being no further business the meeting was adjourned.

  
Garland Wahl, Clerk of the Board

  
Terry G. Hart, Chairman Board of County Commissioners